

(b) Insert the clause at 52.222-19, Child Labor—Cooperation with Authorities and Remedies, in all solicitations and contracts for the acquisition of supplies that are expected to exceed the micro-purchase threshold.

### **Subpart 22.16—Notification of Employee Rights Concerning Payment of Union Dues or Fees**

SOURCE: 69 FR 76353, Dec. 20, 2004, unless otherwise noted.

#### **22.1600 Scope of subpart.**

This subpart prescribes policies and procedures to implement Executive Order 13201, February 17, 2001.

#### **22.1601 Definitions.**

As used in this subpart—

*Secretary* means the Secretary of Labor, U.S. Department of Labor.

*United States* means the 50 States, the District of Columbia, Puerto Rico, the Northern Mariana Islands, American Samoa, Guam, the U.S. Virgin Islands, and Wake Island.

#### **22.1602 Policy.**

Executive Order 13201 generally requires contractors to post a notice informing employees of their rights concerning payment of union dues or fees and to include this requirement in subcontracts and purchases that exceed the simplified acquisition threshold.

#### **22.1603 Exemptions granted by the Secretary of Labor.**

(a) The Secretary may grant exemptions from the requirements of this subpart, including the requirement to include the clause at 52.222-39, or parts of that clause, in contracts. Requests for exemptions may be submitted in accordance with Department of Labor regulations at 29 CFR 470.3.

(b) The requirements of this subpart do not apply to contracts or subcontracts or purchases that do not exceed the simplified acquisition threshold.

#### **22.1604 Compliance investigations and sanctions for violations.**

The Secretary may investigate any contractor, subcontractor, or vendor to determine if any of the requirements of the clause at 52.222-39 have been violated. The procedures for conducting the investigations and effecting the sanctions are in 29 CFR part 470, Subpart B—Compliance Evaluations, Complaint Investigations and Enforcement Procedures. If the Secretary determines that there has been a violation, the Secretary may, to the extent authorized by 29 CFR 470.14 (which, in part, requires coordination between the head of the agency and the Secretary), direct that the contract be cancelled, terminated, or suspended in whole or in part. The Secretary may also declare the contractor ineligible for further Government contracts. Each contracting agency shall cooperate with the Secretary and provide such information and assistance as the Secretary may require in the performance of the Secretary's functions.

#### **22.1605 Contract clause.**

Insert the clause at 52.222-39, Notification of Employee Rights Concerning Payment of Union Dues or Fees, in all solicitations and contracts, except—

(a) Acquisitions that do not exceed the simplified acquisition threshold. For indefinite quantity contracts, include the clause only if the value of orders in any calendar year of the contract is expected to exceed the simplified acquisition threshold; or

(b) Contracts covered by an exemption granted by the Secretary of Labor. A contracting agency may modify the clause at 52.222-39, if necessary, to reflect an exemption granted by the Secretary (see 22.1603(a)).

## **PART 23—ENVIRONMENT, ENERGY AND WATER EFFICIENCY, RENEWABLE ENERGY TECHNOLOGIES, OCCUPATIONAL SAFETY, AND DRUG-FREE WORKPLACE**

Sec.

23.000 Scope.

23.001 Definition.

### **Subpart 23.1 [Reserved]**